

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TYRONE ACOSTA,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	NO. 05-1425
JO ANNE B. BARNHART,	:	
COMMISSIONER OF SOCIAL	:	
SECURITY	:	
Defendant.	:	

ORDER

AND NOW, this 22nd day of February, 2006, upon consideration of the parties' Motions for Summary Judgment, and after careful review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, to which no objections have been filed, it is ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Plaintiff's Motion for Summary Judgment is DENIED;
3. The Defendant's Motion for Summary Judgment is GRANTED.
4. The Clerk is directed to enter JUDGMENT IN FAVOR OF DEFENDANT AND AGAINST PLAINTIFF and to mark this case closed for statistical purposes.

IT IS SO ORDERED.

Paul S. Diamond, J.

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